



PTO/SB/81 (04-05)

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**POWER OF ATTORNEY
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INDICATION FORM**

Application Number	10/669,499
Filing Date	September 23, 2003
First Named Inventor	Edward J. GAVIN
Title	Method for Analyzing Mass Spectra
Art Unit	2863
Examiner Name	Examiner Tung S. Lau
Attorney Docket Number	016866-006211 US

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

53671

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

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State

Zip

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I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

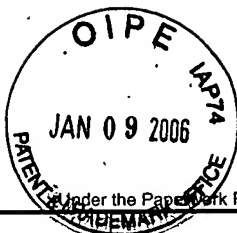
Signature		Date	12/16/05
Name	John Storella	Telephone	510-505-2100
Title and Company	Vice President, Ciphergen Biosystems		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of One forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Edward J. GAVIN, Leonid BRAGINSKY, and Cynthia NAKATANI

Application No./Patent No.: 10/669,499 Filed/Issue Date: September 23, 2003

Entitled: METHOD FOR ANALYZING MASS SPECTRA

Ciphergen Biosystems, Inc., a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR


B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

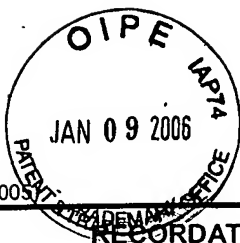
☒ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

	Dec. <u>16</u> , 2005
Signature	Date
<u>John Storella</u>	<u>510-505-2100</u>
Printed or Typed Name	Telephone Number
<u>Vice President</u>	
Title	

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No. 016866-006211US

Form PTO-1595 (Rev. 03/05)
OMB No. 0651-0027 (exp. 6/30/2003)U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark OfficeRECORDATION FORM COVER SHEET
PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)

Edward J. Gavin
Leonid Braginsky
Cynthia NakataniAdditional name(s) of conveying party(ies) attached? ☐ Yes
☒ No

3. Nature of conveyance/Execution Date(s):

Execution Date(s) December 9, 2005; December 15,
2005 and December 9, 2005

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Joint Research Agreement
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other

2. Name and address of receiving party(ies)

Name: CIPHERGEN BIOSYSTEMS, INC.

Internal Address:

Street Address: 6611 Dumbarton Circle

City: Fremont

State: CA

Country: USA Zip: 94555

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

10/669,499, Filed September 23, 2003

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address to whom correspondence concerning document should be mailed:

Name: Patrick R. Jewik

Internal Address:

TOWNSEND AND TOWNSEND AND CREW LLP

Street Address: Two Embarcadero Center,
Eighth Floor

City: San Francisco

State: California Zip: 94111-3834

Phone Number: (415) 576-0200

Fax Number: (415) 576-0300

Email Address: prjewik@townsend.com

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

- ☐ Authorized to be charged by credit card
☒ Authorized to be charged to deposit account
☐ Enclosed
☐ None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 numbers
Expiration Date

b. Deposit Account Number 20-1430

Authorized User Name Townsend and
Townsend and Crew LLP

9. Signature:

Signature

Date

Patrick R. Jewik

Name of Person Signing

Atty. Reg. No. 40,456

Total number of pages including cover
sheet, attachments, and documents:

5

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, **EDWARD J. GAVIN** of 1682 Naglee Avenue, San Jose, CA 95126; **LEONID BRAGINSKY** of 107 Hagen Road, Newton, MA 02459; and **CYNTHIA NAKATANI** of 153 S. 14th Street, San Jose, CA 95112; hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **METHOD FOR ANALYZING MASS SPECTRA**
Filing Date: September 23, 2003
Application No.: 10/669,499and

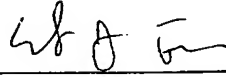
WHEREAS, CIPHERGEN Biosystems, Inc., a corporation of United States, located at 6611 Dumbarton Circle, Fremont, CA, 94555, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 09 Dec 2005



EDWARD J. GAVIN

WITNESSED BY:

Signature: Patrick Ho

Name: PATRICK HO

Address: 6611 Dumbarton Circle
Fremont, CA 94555

Date: 09 December 2005

Signature: Sarah Lyn Torres

Name: Sarah Lyn Torres

Address: 6611 Dumbarton Circle
Fremont, CA 94555

Date: December 9, 2005

Dated: _____

LEONID BRAGINSKY

WITNESSED BY:

Signature: _____

Name: _____

Address: _____

Date: _____

Signature: _____

Name: _____

Address: _____

Date: _____

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: _____

EDWARD J. GAVIN

WITNESSED BY:

Signature: _____

Signature: _____

Name: _____

Name: _____

Address: _____

Address: _____

Date: _____

Date: _____

Dated: 12/15/2005

Leonid Braginsky
LEONID BRAGINSKY

WITNESSED BY:

Signature: Irina Kader

Signature: Kader

Name: Irina Kader

Name: Tatyana Kader

Address: 107 Hagen Rd

Address: 50 Broadlawn Pk #322

Newton MA 02459

Chestnut Hill MA 02467

Date: 12/15/2005

Date: 12/15/2005

Dated: 12/9/05


CYNTHIA NAKATANI

WITNESSED BY:

Signature: Patrick Ho

Name: PATRICK HO

Address: 6611 Dunbarton Circle
Fremont, CA 94555

Date: 09 December 2005

Signature: Sarah Lyn Torres

Name: Sarah Lyn Torres

Address: 6611 Dunbarton Circle
Fremont, CA 94555

Date: December 9, 2005